

REMARKS

Formal Matters

Applicants thank the Examiner for considering the references submitted with the Information Disclosure Statements filed on April 11, 2002, February 10, 2006, and May 18, 2006.

Claims

Claims 1-12, 14-17 are all the claims pending in the application.

35 U.S.C. § 112 Rejection

Claims 14 and 15 have been rejected under 35 U.S.C. § 112 second paragraph.

Claims 14 and 15 have been amended and are now believed to comply with 35 U.S.C. § 112. Therefore, withdrawal of the rejection is respectfully requested.

35 U.S.C. § 101 Rejection

Claims 14 and 15 have been rejected under 35 U.S.C. § 101 as being drawn to a program per se. Further, the claims have allegedly been rejected as not claiming any tangible result.

Claims 14 and 15 have been amended and are believed to comply with 35 U.S.C. § 101. Applicants submit that claims 14 and 15 produce a useful, concrete, and tangible result because the claims are directed to a mobile agent being transferred between a portable device and a server. Further, the claims recite a place code being transferred from the server to a portable device, based on which an environment is being created wherein a mobile agent is able to accomplish certain functions on the portable device.

Therefore, withdrawal of the rejection is respectfully requested.

Prior Art Rejections

Claims 1-3, 5, 7-9, 11-17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Walsh (USP # 6,233,601 B1) hereinafter “Walsh”, in view of Yokoyama et al. (US Pub. 2001/0029526 A1) hereinafter “Yoko”.

For *at least* the following reasons, Applicants respectfully traverse the rejection.

Applicants submit that Yoko does not serve as prior art and hence cannot serve as basis to reject the claims of the present patent application. Applicants note that a verified English translation of the foreign priority document, JP 2001-039884, for the present application was received by the Patent Office on February 6, 2006. As the priority date (February 16, 2001) of the current patent application is before the filing date of Yoko (February 20, 2001), Applicants submit that Yoko does not anticipate the rejected claims.

Therefore, the Examiner is respectfully requested to withdraw the rejection.

Claims 4, 6, and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Walsh (USP # 6,233,601 B1), in view of Yokoyama et al. (US Pub. 2001/0029526 A1) and further in view of Smith et al. (USP # 6,532,543 B1) hereinafter “Smith”.

For at least the following reasons, Applicants respectfully traverse the rejection.

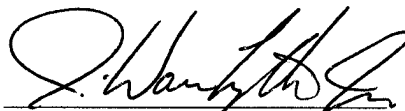
As stated earlier, Yoko does not qualify as prior art. Therefore, Applicants request the Examiner to withdraw the rejection.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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